

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

KEITH DAVID ALLEN, KARYN
COOK, DAYMOND COX, KEVIN
CURRY, MEGHAN CURRY, DR.
RICHARD NERO, DAVID NOVACK,
CHERYL TAYLOR, FERNANDO
VALENCIA, and NATALIE WELLS-
REYES *on behalf of themselves and all
others similarly situated,*

Plaintiffs,

v.

NOVANT HEALTH, INC.,

Defendant.

Case No. 1:22-cv-00970-UA-JEP

JOINT MOTION TO FILE BRIEFS IN EXCESS OF WORD LIMITATION

Plaintiffs Keith David Allen, Karyn Cook, Daymond Cox, Kevin Curry, Meghan Curry, Dr. Richard Nero, David Novack, Cheryl Taylor, Fernando Valencia, and Natalie Wells-Reyes (collectively “Plaintiffs”) and Defendant Novant Health, Inc. (“Defendant” or “Novant”) hereby jointly request relief from the word limit under Local Rule 7.3(d) in connection with Novant’s forthcoming Motion to Dismiss the Consolidated Class Action Complaint (“Consolidated Complaint,” ECF No. 20) and Plaintiffs’ response to same. In support, the parties state as follows:

1. On October 19, 2022, this Court entered an order consolidating four putative class actions against Novant and requiring Plaintiffs to file a consolidated complaint. (ECF No. 18).

2. On November 18, 2022, Plaintiffs timely filed their Consolidated Complaint. (ECF No. 20).

3. The Consolidated Complaint asserts nine causes of action on behalf of ten named Plaintiffs and a putative nationwide class. (*Id.*).

4. Pursuant to the briefing schedule entered by the Court, Novant's Motion to Dismiss the Consolidated Complaint is due on December 23, 2022; Plaintiffs' response is due on January 20, 2023; and Novant's reply is due on February 10, 2023.

5. In order to allow Novant sufficient briefing to raise its motion to dismiss arguments, and in light of the Consolidated Complaint's numerous claims, Plaintiffs (from several different states), and theories of harm, Novant respectfully requests relief from Local Rule 7.3(d) and permission to file a brief containing up to 10,000 words.

6. Likewise, in order to allow Plaintiffs sufficient briefing to respond to the arguments made in Novant's forthcoming Motion to Dismiss, Plaintiffs respectfully request relief from Local Rule 7.3(d) and permission to file a response brief containing up to 10,000 words.

7. The parties consent to the respective requests and agree that the requested enlargements are necessary and appropriate in light of the claims and legal issues raised in the Consolidated Complaint.

WHEREFORE, the parties respectfully request that the Court enter an order granting relief from Local Rule 7.3(d) and permission for (1) Novant to file a Motion to Dismiss the Consolidated Complaint not to exceed 10,000 words and (2) Plaintiffs to file

a response to Novant's Motion to Dismiss not to exceed 10,000 words. A proposed order is enclosed for the Court's consideration.

Dated: December 16, 2022.

Respectfully submitted,

/s/ Gary M. Klinger

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was filed and served using the Court's CM/ECF system, which will send notification of such filing to all ECF registered participants

This 16th day of December, 2022.

/s/ Jennifer K. Van Zant

Jennifer K. Van Zant